

Paper 24

Mail Stop Interference  
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Filed 14 October 2008

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

RICHARD HARKINS, DEBORAH PARKES, GORDON PARRY,  
RENATE PARRY, AND DOUGLAS W. SCHNEIDER  
Junior Party  
(U.S. Application 10/624,884),

v.

SHUJATH M. ALI, YONGMING SUN, SUSANA SALCEDA,  
HERVE RECIPON, AND ROBERT CAFFERKEY  
Senior Party  
(U.S. Patent 7,364,862).

Patent Interference No. 105,635 (MPT)  
(Technology Center 1600)

**JUDGMENT - ADVERSE - Bd. R. 127(b)**

1 Before RICHARD E. SCHAFER, MICHAEL P. TIERNEY, and JAMES T.  
2 MOORE, *Administrative Patent Judges*.

3  
4 TIERNEY, *Administrative Patent Judge*  
5

6 Harkins has filed a request for adverse judgment as to Count 1, the sole  
7 count in interference. (Paper 23). Harkins states that it concedes priority without  
8 the parties having entered into any settlement agreement and that there are no  
9 documents to be filed pursuant to 35 U.S.C. §135(c). (Paper 23, p. 2). No motions  
10 have been filed in this interference.

11 It is:

12 ORDERED that judgment on priority as to Count 1, the sole count in  
13 interference (Redeclaration, Paper 15), is awarded against Junior Party Harkins.

14 FURTHER ORDERED that claims 30, 31, 33-35 and 37-47 of Harkins'  
15 involved '884 application, all of which correspond to Count 1, be FINALLY  
16 REFUSED, 35 U.S.C. § 135(a).

17 FURTHER ORDERED that a copy of this judgment be entered in the  
18 administrative records of the involved Harkins' '884 application and involved Ali  
19 '862 patent.

20                   /Richard E. Schafer )  
21                   RICHARD E. SCHAFER   )  
22                   Administrative Patent Judge   )  
23                   )  
24                   /Michael P. Tierney/   ) BOARD OF PATENT  
25                   MICHAEL P. TIERNEY   ) APPEALS AND  
26                   Administrative Patent Judge   ) INTERFERENCES  
27                   )  
28                   /James T. Moore/   )  
29                   JAMES T. MOORE   )  
30                   Administrative Patent Judge   )  
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